

Help

For Law Enforcers

INFORMATION AND GUIDELINES FOR AUTHORIZED LAW ENFORCEMENT OFFICIALS WITH THE LEGAL AUTHORITY TO MAKE REQUESTS:

Upholding the integrity of our platform and protecting our members and their personal information is of the utmost importance to Uphold. Authorized law enforcement officials, with the legal authority to make requests for information, should follow these guidelines, as detailed below.

If you are a private party engaged in litigation, requests for information should be directed to the parties to that litigation. Members seeking information on their own accounts may collect — or have their attorneys collect — information directly from their accounts. This information is for guidance only and is subject to change.

HOW TO ENGAGE AND CONTACT UPHOLD IF YOU ARE AN AUTHORIZED LAW ENFORCEMENT OFFICIAL WITH THE LEGAL AUTHORITY TO MAKE REQUESTS.

Last updated on October 14, 2015.

1. MAKING CONTACT WITH UPHOLD & REQUESTS FOR INFORMATION

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1.1 Proof of authority to request information, including the name of the issuing authority;

- A. The badge and ID number of responsible agent;
- B. The email address from a government domain; and
- C. A direct contact number at the requesting governmental agency.

2. UNITED STATES LAW ENFORCEMENT

We disclose records in accordance with our Membership Agreement and applicable law, including the federal Stored Communications Act ("SCA"), 18 U.S.C. § 2701 et seq.

- A. We require a valid subpoena issued in connection with an official criminal investigation for the disclosure of basic subscriber records (defined in 18 U.S.C. § 2703(c)(2)), which may include: name, length of service, credit card information, email address(es), and recent IP address(es), if available.
- B. We require a court order issued under 18 U.S.C. § 2703(d) for the disclosure of certain records or other information pertaining to the account, not including any contents of communications, which may include message headers and IP addresses, in addition to the basic subscriber records identified above.
- C. We require a search warrant issued under the procedures described in the Federal Rules of Criminal Procedure or equivalent state warrant procedures upon a showing of probable cause for the disclosure of any stored content, which may include available messages sent with a transfer, if any.
- D. We interpret the national security letter provision as applied to us to require the production of only: name and length of service.

3. INTERNATIONAL LAW ENFORCEMENT

We disclose account records solely in accordance with our terms, policies and applicable law. A Mutual Legal Assistance Treaty request or letters rogatory may be required to compel the disclosure of information.

4. ACCOUNT PRESERVATION

We will take steps to preserve records in connection with official investigations for 90 days pending receipt of formal legal process. You may submit formal preservation requests by email to compliance@uphold.com, mail or recognized courier service.

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requiring disclosure of information without delay, an authorized law enforcement official may submit a request through compliance@uphold.com. We will not review or respond to messages sent to this email address by non-law enforcement officials. Members aware of emergency situations should contact their local law enforcement officials.

6. CHILD SAFETY MATTERS

We report all apparent instances of child exploitation we become aware of to the National Center for Missing and Exploited Children (NCMEC), including information drawn to our attention by law enforcement requests. NCMEC coordinates with the International Center for Missing and Exploited Children and law enforcement authorities around the world. If a request relates to a child exploitation or safety matter, please specify those circumstances (and include relevant NCMEC report identifiers) in any request to ensure that we are able to address these matters expeditiously and effectively.

7. DATA RETENTION AND AVAILABILITY

We will search for and disclose data that is specified with particularity in an appropriate form of legal process that we are reasonably able to locate and retrieve. We generally do not retain data for law enforcement purposes unless we receive a valid preservation request. Our [Privacy and Data Policy](#) and [Membership Agreement](#) contain information about what information may be available.

8. REQUEST FORMAT AND SCOPE

Overly broad or vague requests for information cannot be processed. At a minimum, we need the process to specifically identify the requested records with particularity and include information that allows us to identify the member account(s) at issue by user name or email address.

9. MEMBER CONSENT

If law enforcement is requesting information about a member who has provided consent to access or obtain the account information, the member should be directed to obtain that information on their own from their account.

10. MEMBER NOTIFICATION AND LEGAL PROCESS

Uphold is founded on the principle of complete transparency. Our policy is to notify people who use our service of requests for information relating to them prior to disclosure unless we are prohibited by law from doing so or in exceptional circumstances, such as in child exploitation

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prohibited by law from doing so. Law enforcement officials who believe that notification would jeopardize an investigation should obtain an appropriate court order or other appropriate process establishing that notice is prohibited. If your data request draws attention to abuse of our Service, we will take action to prevent further abuse, including actions that may indicate to the member that we are aware of potential misconduct.

11. TESTIMONY

We do not provide expert testimony support. And, our records are self-authenticating pursuant to United States law and should not require testimony of a records custodian for admission. If a special form of certification is required, please include it with your process.

12. COST REIMBURSEMENT

We may seek reimbursement for costs in responding to requests for information as provided by law. Any fees will apply on a per-account basis. We may also charge additional fees for costs incurred in responding to requests.

13. SUBMISSION OF PROCESS

Our United States mailing address is: Uphold HQ, Inc. c/o CSC, 1703 Laurel Street Columbia, SC 29201. We will accept courtesy copies of process issued by law enforcement at compliance@uphold.com. Uphold will only respond to Law enforcement requests from authorized law enforcement officials who provide the information set in Section 1.

14. SPECIAL NOTES

Acceptance of legal process by any means other than personal service is for convenience only and we reserve all rights and objections, including, without limitation lack of proper jurisdiction or invalid service.